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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: STANGIER et al

SERIAL NO.: 10/088,239

FILING DATE: March 18, 2002

CUSTOMER NO.: 32047

TITLE: BEARING DEVICE

EXAMINER: JULIE K. SMITH

ART UNIT: 3682

DOCKET NO.: LIP006

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 10, 2004, at Manchester, New Hampshire.

By Dana Robertson
Dana Robertson

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PETITION PURSUANT TO 37 CFR 1.81
FOR WITHDRAWAL OF ABANDONMENT

Dear Sir:

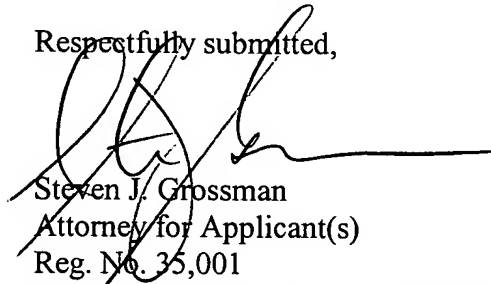
This is in response to the Notice of Abandonment in the above-referenced application mailed on February 13, 2004. The Notice of Abandonment indicates that the application is abandoned for failure to timely or properly reply to the Office letter mailed on July 16, 2003. A copy of the Notice of Abandonment is enclosed.

On November 17, 2003, Applicants filed their Amendment A in response to the Office Action of July 16, 2003, along with a Petition for a 1-Month Extension and a check for \$110 extension fee. The documents were mailed to via U.S. Postal Service Express Mail, label no. EL 984 321 620 US. Enclosed for the convenience of the U.S. Patent Office is a copy of the following documents: (1) the Return Receipt Postcard entitled

"Amendment A", stamped as **received** by the USPTO on November 17, 2003; (2) a printout from the U.S. Postal Service, Track and Confirm website, stating that EL 984 321 620 US was delivered to the USPTO on November 18, 2003; (3) a copy of Amendment A with a certificate of mailing dated November 17, 2003; and (4) a copy of the Petition for Extension of Time Under 37 CFR 1.136(a) with a certificate of mailing dated November 17, 2003.

In view of the above, Applicant respectfully requests that the Notice of Abandonment mailed February 13, 2004 be withdrawn and that the application be forwarded to the appropriate Examining Attorney for prosecution as soon as possible in view of the Patent Office's error in regard to issuing the Notice of Abandonment.

Respectfully submitted,



Steven J. Grossman
Attorney for Applicant(s)
Reg. No. 35,001

Grossman, Tucker, Perreault & Pfleger, PLLC
55 South Commercial Street
Manchester, New Hampshire 03101
Tele: 603-668-6560



Notice of Abandonment

Application No.

10/088,239

Examiner

Julie K Smith

Applicant(s)

STANGIER ET AL.

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 16 July 2003.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

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GROUP 3600

DAVID A. BUCCI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 7



AMENDMENT A

Appln. of: STANGIER et al
Serial No.: 10/088,239
Filed: March 18, 2002
For: BEARING DEVICE
Docket: LIP006

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NOV 24 2003

GROSSMAN, TUCKER,
PERREAULT & PFLEGER, PLLC

Received:

1. Check for \$110 (1-month extension fee)
2. Petition for 1-month extension (1 pg)
3. Amendment A (6 pgs)
4. Return Receipt Postcard

11/17/03 - dlr

DT04 Rec'd PCT/PTO 17 NOV 2003

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MAR 16 2004
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Track & Confirm

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